

City of Mississauga Department Comments

Date Finalized: 2023-11-15	File(s): A445.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-11-23 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A interior side yard setback to the second storey (right side) of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
2. A lot coverage of 32.58% (269.18sq m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (247.80sq m) in this instance;
3. A sloped roof height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum roof height of 9.00m (approx. 29.53ft) in this instance;
4. A gross floor area of 412.48sq m (approx. 4439.90sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 315.20sq m (approx. 3392.78sq ft) in this instance; and,
5. A flat roof height of 8.97m (approx. 29.43ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 25 Earl Street

Mississauga Official Plan

Character Area: Streestville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

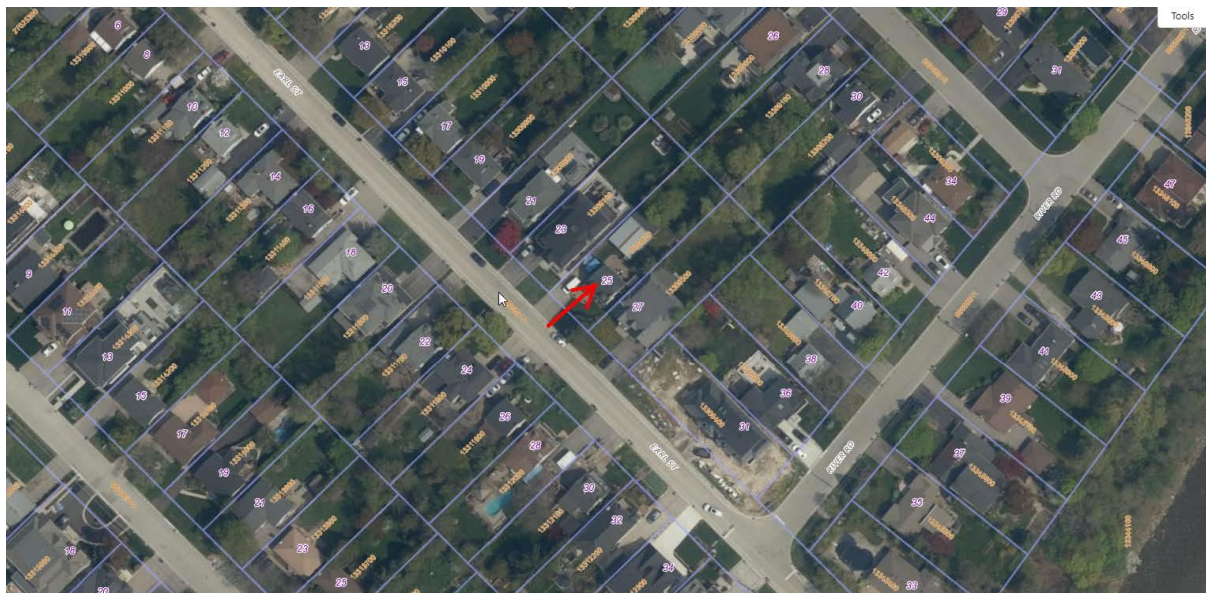
Zoning: R3-69- Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Britannia Road West and Queen Street South intersection in the Streetsville neighbourhood. It currently contains a one and a half-storey detached dwelling with a detached garage. Limited landscaping and vegetative elements are present in both the front and rear yards, including a mature tree in the front yard. The property has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 826.01m² (8,891.09ft²), characteristic of the surrounding area. The surrounding area context is predominantly residential, consisting mostly of detached dwellings, however commercial and industrial uses are present along both Britannia Road West and Queen Street South.

The applicant is proposing to construct a new dwelling requiring variances for side yard setback, lot coverage, gross floor area, sloped and flat roof height.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Streetsville Neighbourhood Character area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

Staff have concerns surrounding the proposed gross floor area and flat roof height increase. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Planning staff are of the opinion that the proposed gross floor area and dwelling height create a significant massing impact on both abutting properties and the streetscape. Furthermore, the proposal would not maintain the planned character of the neighbourhood. The proposed gross floor area and flat roof height represent a significant variance from the permissions of the by-law which further exacerbates the massing of the structure.

Given the above, planning staff are of the opinion the current proposal does not maintain the general intent and purpose of the official plan and zoning by-law and is not minor in nature. Staff therefore recommend that the application be deferred to allow the applicant to redesign the dwelling.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed new dwelling will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Minor Variance: A-23-445M / 25 Earl St

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the

applicant's expense. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the Local Municipality issuing Building Permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel Design Specifications. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner